

REMARKS

The Examiner is provided with a page of an Information Disclosure Statement filed on January 2, 2002 and considered on September 20, 2002 (Attachment A). Applicant notes that the West et al. journal reference has not been initialed as considered by the Examiner. In the interest of a complete and accurate record, Applicant respectfully requests acknowledgement of consideration of the reference.

Claims 1-8 remain pending in the application. Claims 1 and 3-6 are rejected under 35 U.S.C. §102(e) based on Zadno-Azizi et al. U.S. 6,022,336. The Applicant respectfully traverses this rejection. The structure 426 of Zadno-Azizi is not an open configuration allowing blood to flow through the structure, as defined by sole independent claim 1 (and associated dependent claims 2-8). Rather, the structure 426 is a closed, balloon-like structure. In the device of Zadno-Azizi, blood and debris pass through a lumen between an inner and an outer catheter (see col. 22, lines 16-25) and do not pass through the structure 426.

Allowance of claims 1-8 is respectfully requested.

Respectfully Submitted,

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Neorrend/16102-B CJP/031222 Amend B

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Attachment A